

(17)
8-29-01
SCIN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DIANNA LYNN HARRIS, :
Plaintiff :
: No. 1:CV-01-0270
v. : (Judge Kane)
:
PENNSYLVANIA BOARD OF :
PROBATION AND PAROLE, :
et al., :
Defendants :
:

FILED
HARRISBURG

AUG 28 2001

MARY E. D'ANDREA, CLERK
Per 118
DEPUTY CLERK**MOTION FOR LEAVE TO FILE AN AMENDED BRIEF**

Pursuant to Fed. R. Civ. P. 15(a), defendants hereby move for leave to file an amended brief in support of defendants' motion to dismiss the complaint. In support of this motion, defendants state the following:

1. Defendants' filed a brief in support of their motion to dismiss the complaint on August 27, 2001.
2. After the brief was filed, counsel for defendants discovered that the statute of limitations for a claim under the Pennsylvania Worker and Community Right-to-Know Act, 35 P.S. §7301, *et seq.*, is one hundred eighty (180) days pursuant to 34 P.S. §321.2(a), rather than six (6) months pursuant to 42 Pa.C.S. §5521, as stated in defendants' brief.
3. Defendants respectfully request leave of Court to file an amended brief to correct this error.

4. This enlargement will not unreasonably delay this matter.
5. Counsel for plaintiff concurs in this motion.

WHEREFORE, this Court should grant defendants leave to file an amended brief in support of their motion to dismiss.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By: Lisa W. Basial
LISA W. BASIAL
Deputy Attorney General
I.D. #71554

SUSAN J. FORNEY
Chief Deputy Attorney General
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Dated: August 28, 2001

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CERTIFICATE OF CONCURRENCE

LISA W. BASIAL, Deputy Attorney General, counsel for defendants, hereby certifies that plaintiff's counsel, Joseph Bouvier, Esq., concurs in this motion.

Lisa W. Basial

LISA W. BASIAL
Deputy Attorney General
I.D. No. 71554

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CERTIFICATE OF SERVICE

I, LISA W. BASIAL, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on **August 28, 2001**, I served a true and correct copy of the foregoing **Motion for Leave to File an Amended Brief** by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

Eugene Mattioni, Esquire
Joseph Bouvier, Esquire
Mattiioni, LTD.
399 Market Street, 2nd Floor
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Lisa W. Basial

LISA W. BASIAL
Deputy Attorney General